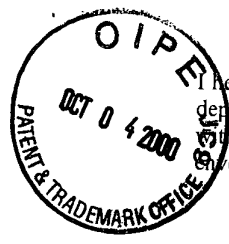


#3



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
Washington, D.C. 20231

on 10/2/00
Date of Deposit

Donna E. Becker, Reg. No. 44,529
Name of applicant, assignee or

Registered Representative

Donna E. Becker
Signature

October 2, 2000
Date of Signature

Case No. 3086/1154 (PS0299)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BROVELLI et al.

Serial No.: 09/575,307

Filed: May 19, 2000

For: ECHINACEA
INDUCTION OF PHASE
II ENZYMES

Attention: Manager,
Application Branch

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated July 31, 2000, a copy of which is attached, enclosed herewith for filing are the following documents:

- Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.

- Applicant is:
- a small entity, verified statement is:
 - attached
 - already filed
 - other than small entity
- Checks totaling \$898.00 for:
- Filing Fee of \$690.00.
 - Surcharge of \$130.00.
 - Additional Claim Fees of \$78.00.
- Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- Other: _____.
- The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

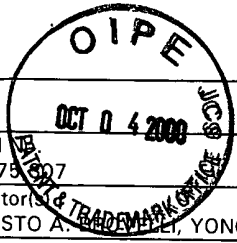
Dated: October 2, 2000

Donna E. Becker
Donna E. Becker
Registration No. 44,529
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200

rev. Dec.-99

F:\COMMON\DEB\Amway\3086-1154\100200 3086-1154 Resp to NOMP.doc



Sector # 3

TRANSMITTAL LETTER			Case No. 3086/1154 (PS0299)
Serial 09/573,607	Filing Date May 19, 2000	Examiner Unassigned	Group Art Unit 1614
Inventor(s) ERNESTO A. BARRERA, YONG QIAN, PURI G. DAVID, KARI L. TRUAX and Yi QIN LI			
Title of Invention ECHINACEA INDUCTION OF PHASE II ENZYMES			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a Response to Notice to File Missing Parts of Application Filing Date Granted (in dupl.), a copy of the Notice to File Missing Parts of Nonprovisional Application, Declaration for Patent Application, Power of Attorney, Check in the amount of \$898.00 (Missing Parts Filing Fee) and a return post card.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a _____ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

				Small Entity		Other Than Small Entity	
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		x \$9 =		x \$18 =	
Indep.		Minus		x 40 =		x \$80 =	
First Presentation of Multiple Dep. Claim				+ \$135 =		+ \$270 =	
				Total add'l fee	\$	total add'l fee	\$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$898.00 to cover the Missing Parts filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

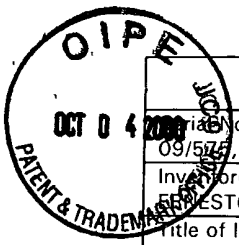
Donna E. Becker

Donna E. Becker
Registration No. 44,529
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on October 2, 2000.

Date: October 2, 2000 Signature: *Donna E. Becker*



TRANSMITTAL LETTER			Case No.
Application No. 09/574,307	Filing Date May 19, 2000	Examiner Unassigned	3086/1154 (PS0299)
Inventor(s) ERNESTO A. BROVELLI, YONG QIAN, PURI G. DAVID, KARI L. TRUAX and YINGQIN LI			Group Art Unit 1614
Title of Invention ECHINACEA INDUCTION OF PHASE II ENZYMES			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a Response to Notice to File Missing Parts of Application Filing Date Granted (in dupl.), a copy of the Notice to File Missing Parts of Nonprovisional Application, Declaration for Patent Application, Power of Attorney, Check in the amount of \$898.00 (Missing Parts Filing Fee) and a return post card.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a _____ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		or	Other Than Small Entity		
					Rate	Add'l Fee		Rate	Add'l Fee	
Total		Minus			x \$9 =			x \$18 =		
Indep.		Minus			x 40 =			x \$80 =		
First Presentation of Multiple Dep. Claim					+ \$135 =			+ \$270 =		
					Total	\$			total	\$
					add'l fee				add'l fee	

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$898.00 to cover the Missing Parts filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Donna E. Becker
 Donna E. Becker
 Registration No. 44,529
 Attorney for Applicant

BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, ILLINOIS 60610
 (312) 321-4200

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Date: October 2, 2000 Signature: *Donna E. Becker*

FORMALITIES LETTER



OC00000005282096

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/575,307	05/19/2000	Ernesto A. Brovelli	3086/1154 (PS0299)

Donna E Becker
Brinks Hofer Gilson & Lione
PO Box 10395
Chicago, IL 60610

Date Mailed: 07/31/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/10/2000 AGDITOM 00000039 09575307

01 FC:105	130.00 DP
02 FC:102	80.00 DP
03 FC:199	688.00 DP